

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

MAT-7886US

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.5)  
09/463,565INTERNATIONAL APPLICATION NO.  
PCT/JP99/02828INTERNATIONAL FILING DATE  
May 27, 1999PRIORITY DATE CLAIMED  
May 28, 1998

## TITLE OF INVENTION

BATTERY PLATE AND BATTERY

## APPLICANT(S) FOR DO/EO/US

T. Hashimoto et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ A copy of the International Search Report (PCT/ISA/210).
8. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

## Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☒ Certificate of Mailing by Express Mail
20. ☐ Other items or information:

21. The following fees are submitted:				<b>CALCULATIONS PTO USE ONLY</b>	
<b>BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5)) :</b>					
<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO .....			<b>\$970.00</b>		
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....			<b>\$840.00</b>		
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....			<b>\$690.00</b>		
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) .....			<b>\$670.00</b>		
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) .....			<b>\$96.00</b>		
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>\$0.00</b>	
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <input checked="" type="checkbox"/> 20 <input type="checkbox"/> 30				<b>\$130.00</b>	
<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>		
Total claims	- 20 =	0	x \$18.00	<b>\$0.00</b>	
Independent claims	- 3 =	0	x \$78.00	<b>\$0.00</b>	
Multiple Dependent Claims (check if applicable).			<input type="checkbox"/>	<b>\$0.00</b>	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$130.00</b>	
Reduction of 1/2 for filing by small entity, if applicable. Verified Small-Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable).			<input type="checkbox"/>	<b>\$0.00</b>	
<b>SUBTOTAL =</b>				<b>\$130.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30			+	<b>\$0.00</b>	
<b>TOTAL NATIONAL FEE =</b>				<b>\$130.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).			<input checked="" type="checkbox"/>	<b>\$40.00</b>	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$170.00</b>	
				Amount to be: refunded	\$
				charged	\$

☒ 2 check in the amount of \$130, \$40 to cover the above fees is enclosed.

☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **18-0350** A duplicate copy of this sheet is enclosed.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Lawrence E. Ashery  
Ratner & Prestia  
P.O. Box 980  
Valley Forge, PA 19482  
(610) 407-0700

*Daniel N. Calder*

SIGNATURE

**Daniel N. Calder**

NAME

**27,424**

REGISTRATION NUMBER

**April 21, 2000**

DATE

JC19 Rec'd/PCT/PTO 28 JUN 2001 T #5

MAT-7886US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant: T. Hashimoto et al.

: Art Unit:

Serial No.: 09/463,565

: Examiner::

Filed: April 21, 2000

:

FOR: BATTERY PLATE AND BATTERY

:

RECEIVED

11 JUL 2001

Legal Staff  
International Division

RESPONSE TO NOTICE OF ABANDONMENT

Assistant Commissioner for Patents

Washington, D.C. 20231

S I R :

This paper is being filed responsive to the Notice of Abandonment dated June 13, 2001.

On March 24, 2000, the U.S. Patent & Trademark Office mailed Applicants' representative a Notification of Missing Requirements.

On April 21, 2000, Applicants' representative filed a proper Response, and an Assignment and request for Recordation of an Assignment. A copy of the Response, Assignment, and request for Recordation, as filed, are enclosed. Also enclosed is a post card stamped by the Patent Office indicating receipt on May 1, 2000.

Withdrawal of the Notice of Abandonment is respectfully requested.

Respectfully Submitted,

*Daniel N. Calder*

Lawrence E. Ashery, Reg. No. 34,515  
Daniel N. Calder, Reg. No. 27,424  
Attorneys for Applicants

DNC/lm

Dated: June 27, 2001

Enclosure: PTO Response filed on April 21, 2000

Suite 301, One Westlakes, Berwyn

P.O. Box 980

Valley Forge, PA 19482-0980

(610) 407-0700

The Assistant Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:

6/27/01

*Daniel N. Calder*

MAR 27 2000  
RATNER & PRESTIA



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/463565	HASHIMOTO	T MAT-7886US
INTERNATIONAL APPLICATION NO.		
PCT/JP99/02828		
I.A. FILING DATE	PRIORITY DATE	
27 MAY 99	24 MAR 2000	
DATE MAILED:		

LAWRENCE E ASHERY  
RATNER & PRESTIA  
P O BOX 980  
VALLEY FORGE, PA 19482 0980

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as
- ☒ a Designated Office (37 CFR 1.494),
  - ☐ an Elected Office (37 CFR 1.495):

- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application in:
  - ☒ a non-English language.
  - ☐ English.
- ☒ Translation of the international application into English.
- ☐ Oath or Declaration of inventor(s) for DO/EO/US.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☐ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☒ Preliminary amendment(s) filed: 27 JAN 00 and
- ☒ Information Disclosure Statement(s) filed: 27 JAN 00 and
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed
- ☐ Verified Statement Claiming Small Entity Status.
- ☒ Priority Document.
- ☒ Copy of the International Search Report ☐ and copies of the references cited therein.
- ☐ Other:

*Rec'd Due 11/24/00*  
*4/24/00*  
*File*

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
    - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
  - ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
  - ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
    - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
  - ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☒ 21 OR ☐ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

- 4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
- 5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

- Enclosed:
- ☐ PCT/DO/EO/917
  - ☐ PTO-875
  - ☐ Notice of Defective Translation
- FORM PCT/DO/EO/905 (December 1997)

*Charita A. Bart, Paralegal*  
Telephone: 703-305-3734

MAT-7886US

RECEIVED

MAY 1 2000

APR.

APR. 21

2000

RATNER

Hon. Commissioner of Patents &amp; Trademarks

Please acknowledge receipt of the document(s) described below by imprinting the Patent & Trademark Office "date stamp" hereon and returning this card to the addressee indicated on the reverse side.

FILE NO. MAT-7886US FEE DUE ☒ YES ☐ NO AMT ENC'D 130 \$40

NAME: J. Hashimoto et al.

DOCUMENTS 1595, Assign, 1390(2), Dec 10A

NOTIFICATION OF MISSING REQUIREMENTS

CHECKS (2), EXPRESS C/L



09/463,565

520 Rec'd PGT/PTO 21 APR 2000

RATNER &amp; PRESTIA

11803

VENDOR:

CHECK NO:

OUR REF. NO.	YOUR INVOICE NUMBER	INVOICE DATE	INVOICE AMOUNT	AMOUNT PAID	DISCOUNT TAKEN
	MAT-7886US	4/21/00	\$40.00		

5040284426473

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11802

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OUR REF. NO.	YOUR INVOICE NUMBER	INVOICE DATE	INVOICE AMOUNT	AMOUNT PAID	DISCOUNT TAKEN
	MAT-7886US	4/21/00	\$130.00		

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): T. Hashimoto et al.

Docket No.

MAT-7886US

Serial No.

09/463,565

Filing Date

*Herewith*

Examiner

Group Art Unit

Invention:

BATTERY PLATE AND BATTERY

I hereby certify that this PTO 1390 AND ITS ENCLOSURES

*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231

on April 21, 2000

*(Date)*

Kathleen Libby

*(Typed or Printed Name of Person Mailing Correspondence)*

*Kathleen Libby*

*(Signature of Person Mailing Correspondence)*

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*("Express Mail" Mailing Label Number)*

Note: Each paper must have its own certificate of mailing.